

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA

WESTERN DIVISION

No. 5:17-CR-111-1H

5:17-CR-111-2H

5:17-CR-111-3H

5:17-CR-111-5H

5:17-CR-111-6H

UNITED STATES OF AMERICA,)

)

v.)

)

JOHN DEVERE BATTLE,)

ORDER

ADRIAN RASHAUN ANDERSON,)

TYQUAN MALIK ANSLEY)

TYCOREY JAMAL TABORN, AND)

ERIC LAMONT STEVENS,)

Defendants.)

This matter is before the court on the government's Motion for Authorization to Take Saliva Samples and For Expedited Ruling, [DE #154]. Defendants did not respond, and the time for doing so has expired.

While the government's motion addressed Fifth and Sixth Amendment implications, it failed to address the Fourth Amendment implications. See, e.g., Maryland v. King, 569 U.S. 435 (2013). For lack of good cause shown, the government's motion, [DE #154], is DENIED WITHOUT PREJUDICE.

This 25th day of October 2017


Malcolm J. Howard
Senior United States District Judge

At Greenville, NC
#35